

Exhibit 7

Affidavit

In the Matter of [REDACTED]

Affidavit of [REDACTED]

STATE OF NEW YORK)
)
COUNTY OF NEW YORK)
ss.:

[REDACTED] being duly sworn, states the following to be true under penalties of perjury:

1. On July 7, 2022, I was a laborer employed by [REDACTED] at a project site known as

[REDACTED] also known as Building B. That day, I was working with [REDACTED] doing brickwork on the balcony on the 31st floor of Building B.

2. There were three hanging scaffolds doing this work. I was on a scaffold with [REDACTED]

[REDACTED]. Another scaffold had [REDACTED] and [REDACTED] and the third had [REDACTED] and [REDACTED]
[REDACTED]

3. We all got onto the scaffolds on a platform approximately 6 feet above the ground, and then brought it up to the level where we would be working using the motor on the hanging scaffold. There were lifelines hanging off the side of the building, with a lifeline for each of us to tie into our harnesses. As I got onto the hanging scaffold, I took the safety line and inserted it into my rope grab, which was on my harness, and then secured it. I remained attached to the safety line as the hanging scaffold went up.

4. When the hanging scaffolds reached the 31st floor, we stopped the motor, with the scaffolds approximately 6 inches from the balcony itself.

5. As we were erecting the balconies, some workers had to be on the scaffold putting up brick for the exterior of the balcony, and some on the inside of the balcony putting up brick from the interior of the balcony. We rotated as to who would work from the scaffolds and who would work while standing on the balcony.

6. That day, I worked from the scaffold building up the exterior brick for the balcony. However, on previous days, I had worked from the inside of the balconies. Whenever I would work on the inside of the balcony, I would remained attached to the lifeline the entire time. After getting to

the level where the scaffolds were secured, I would need to step over the scaffold into the balcony. To do this, I would adjust the lifeline within the rope grab to give myself enough room to get onto the balcony, which would usually mean adjusting it to the height of my head. After adjusting the rope grab, I would step over onto the balcony, and continue adjusting as needed to make sure I could maneuver and walk to the location where I would be laying the brick. I had done this successfully on numerous occasions at this project site without any problems.

7. On July 7, 2022, I was working on a scaffold at the front of the balcony on the 31st floor, while [REDACTED] and [REDACTED] scaffold was on the side of the balcony that was to my left (if facing the balcony). [REDACTED] and [REDACTED] were on the scaffold on the right side. I saw [REDACTED] and [REDACTED] successfully get onto the balcony from their scaffold that day after lunch.

8. As I was working, I heard [REDACTED] say “ai ai ai.” I then turned towards him and saw [REDACTED] with his right arm holding onto the lifeline above his head adjusting the rope grab. [REDACTED] rope grab was too high up on the lifeline, not giving himself enough room to step onto the balcony properly.

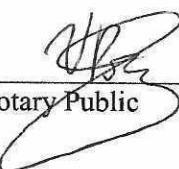
9. He remained hooked into the lifeline, and then adjusted the rope grab to be able to move around the balcony. [REDACTED] then continued working with the rest of us until the end of the day. From the time I saw him have the rope grab too high until the end of the day, I observed [REDACTED] step from the scaffold onto the balcony several times. [REDACTED] returned to work the next day and worked the full day, and did not make any complaints of pain either of those days.

10. [REDACTED] did not fall and nothing fell on him. However, because he improperly hooked his lanyard too high up on the lanyard, it did not allow him to properly step onto the balcony from the scaffold and be able to move to his work location on that balcony until he adjusted the rope grab.

11. Toolbox Talks are held at this project site every Monday morning. During those talks, we discuss various safety procedures, including the proper method for stepping onto a scaffold using a safety line. We are taught to make sure that we hook our lanyards to a location on the lifeline that allows for sufficient movement to walk to the location where we are going to be working.

12. Had [REDACTED] properly hooked his lanyard onto the lifeline (at a lower point that was available to him), he would not have been strained his arm.

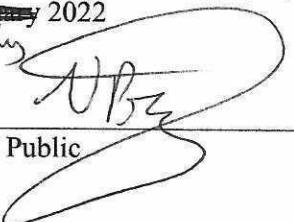
Sworn to before me this
13th day of July 2022


Notary Public

VALERIA PRIZIMENTER
Notary Public, State of New York
No. 02PR6313063
Qualified in Kings County
Commission Expires October 14, 2022

I, [REDACTED] am fluent in both English and Spanish (able to read, write and speak fluently), translated this affidavit from English to Spanish, word for work, to [REDACTED] who acknowledged understanding same

Sworn to before me this 13th day
of July 2022


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